



1       APPEARANCES: (CONT.)

2       MR. JAMES HUTTENHOWER  
3       225 West Randolph Street  
4       Suite 25-D  
5       Chicago, Illinois 60606  
6       for Illinois Bell Telephone Company.

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
NONE.					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
	NONE.	

1           ADMINISTRATIVE LAW JUDGE SAINSOT: By the  
2 authority vested in me by the Illinois Commerce  
3 Commission, I now call Docket No. 06-0545, and it is  
4 the complaint of Mr. Apedo N'Doagni. Am I saying  
5 that correctly?

6           THE WITNESS: Yeah.

7           ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. I'm  
8 working on it so tell me if it's not right.

9                       Versus SBC local.

10                      Will the parties identify themselves  
11 for the record. And we'll need you to start off  
12 giving your name and address and telephone number.

13           MR. KODJO N'DOAGNI: My address is 917 East  
14 Wood Avenue. My apartment is 306. My telephone  
15 number is (773) 271-0358.

16           ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. And  
17 counsel.

18           MR. CHORZEMPA: On behalf of AT&T  
19 Communications of Illinois, Inc., which we believe  
20 the clerk misnamed as the respondent in this case,  
21 David Chorzempa, 222 West Randolph -- 225 West  
22 Randolph, Suite 25-D, Chicago, Illinois 60606.

1           MR. HUTTENHOWER: James Huttenhower,  
2   H-u-t-t-e-n-h-o-w-e-r, appearing on behalf of  
3   Illinois Bell Telephone Company, 225 West Randolph  
4   Street, Suite 25-D, Chicago, Illinois 60606.

5           ADMINISTRATIVE LAW JUDGE SAINSOT: Okay.  
6   Mr. Chorzempa, do you have a motion?

7           MR. CHORZEMPA: Yes. I motion to replace and  
8   remove AT&T Communication of Illinois, Inc., as a  
9   respondent in this case and replace it with the local  
10   telephone company, which I think does business as  
11   Illinois Bell Telephone Company.

12          ADMINISTRATIVE LAW JUDGE SAINSOT: And is  
13   commonly known as -- what are you going by these  
14   days?

15          MR. HUTTENHOWER: I think we're commonly known  
16   as AT&T Illinois; but for I think most of the period  
17   that the complainant is concerned about, we were SBC  
18   Illinois.

19          ADMINISTRATIVE LAW JUDGE SAINSOT: Okay, and  
20   Mr. Apedo N'Doagni, for the record, your dispute is  
21   with the local carrier, right, not the long-distance  
22   carrier?

1           MR. KODJO N'DOAGNI: Uh-huh.

2           ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. So  
3   you don't care if I direct the clerk -- in fact, you  
4   do care because this would be the correct way to do  
5   it, if I direct the clerk's office to change their  
6   heading and put SBC back on the way you had it  
7   originally.

8           MR. KODJO N'DOAGNI: Yeah.

9           ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. So on  
10   that basis, Mr. Chorzempa, your motion is granted and  
11   I will issue a ruling directing the clerk to leave it  
12   alone.

13          MR. CHORZEMPA: Thank you, your Honor. With  
14   that, I'll leave you all.

15          ADMINISTRATIVE LAW JUDGE SAINSOT: Okay.  
16   Mr. Huttenhower, do you got a copy of the bills  
17   attached to the complaint?

18          MR. HUTTENHOWER: Yes.

19          ADMINISTRATIVE LAW JUDGE SAINSOT: I'm curious  
20   as to -- and I looked at this just on a very cursory  
21   basis, but it seems like every month his phone bill  
22   was a different -- he had a different package or

1 something.

2 MR. HUTTENHOWER: Well, I guess, the first  
3 thing I noticed was that there are actually bills for  
4 two different accounts.

5 ADMINISTRATIVE LAW JUDGE SAINSOT: Oh.

6 Do you have two different phone  
7 numbers?

8 MR. HUTTENHOWER: Well, from what I can tell,  
9 there's -- there were bills from August 2004 through  
10 April 2005 under a phone number of (773) 334-2946.  
11 And then that account ended, and then he has a phone  
12 bills from August 2005 through February 2006 under a  
13 different phone number.

14 ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. Did  
15 you move or something or just change phone numbers?

16 MR. KODJO N'DOAGNI: No. I'm not changing the  
17 phone number. The company changed the phone numbers,  
18 not me.

19 ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. So  
20 the company changed the phone numbers and so you just  
21 switched?

22 MR. KODJO N'DOAGNI: Yeah.

1           MR. HUTTENHOWER:  There's a gap of a couple  
2 months.  So I don't quite know how to explain that.

3                       But -- and sort of circling back to  
4 the question you asked Judge Sainsot, it appears from  
5 looking at the billings that, from time to time, the  
6 package or, you know, mix of services on the account  
7 was changed.  You know, sometimes there was some kind  
8 of package; sometimes there was no package.

9                       And my understanding from looking at  
10 some of our notes for the account, at least for the  
11 second account, the more recent one, is that these  
12 changes were made at the complainant's request to try  
13 and reduce the amount of the bill, you know, on a  
14 monthly basis.

15           ADMINISTRATIVE LAW JUDGE SAINSOT:  This would  
16 helped if I had paid more attention to this.

17                       So like the bill from October -- for  
18 October of '04, that was a \$23 bill and then are you  
19 saying he -- oh, actually, you're saying you don't  
20 have the records for the '04.

21           MR. HUTTENHOWER:  I have just the bill pages he  
22 included.  I don't have the notes from -- you know,



1     that might explain, you know, customer called in on a  
2     given day to ask for this or something.

3                     I guess we had no -- we had an  
4     informal complaint about the more recent account, but  
5     we didn't have any informal complaint about the  
6     account from 2004 to 2005. That one was, as far as  
7     we could tell, satisfactory; that, you know, there  
8     were bills. They were paid. And as far as I can  
9     tell, that -- the account was canceled at the  
10    customer's request. I don't know.

11                    And then, you know, five or six months  
12    later, he reestablished service under the new number.

13                    ADMINISTRATIVE LAW JUDGE SAINSOT: Can you tell  
14    me how much you think AT&T has overbilled you.

15                    MR. KODJO N'DOAGNI: Yeah. Before AT&T -- SBC,  
16    AT&T send the paper for my poster. Where I open my  
17    poster, I see AT&T paper, and they say you come and  
18    your company -- you're going to pay \$12.

19                    So I pay a lot of money in SBC. So  
20    why I call AT&T to switch to go to the AT&T, but the  
21    SBC said, no, I want to stay with the SBC seven or  
22    six months.

1                   I called my brother. I tell my  
2 brother. My brother tell me, no. If you want to  
3 switch, you want to switch. They can't tell me I  
4 want to stay six months or seven months. No. So I  
5 call AT&T. Okay. Why I call AT&T, AT&T said, okay.  
6 I give my information. I give you my information  
7 because we talk on the telephone.

8                   So they tell me I want to wait. I  
9 wait. They call somebody. I don't know who they  
10 called. But when they come back, they tell me the  
11 service is closed. So they're going to call me back.  
12 They no call me back.

13           ADMINISTRATIVE LAW JUDGE SAINSOT: But how much  
14 money do you think they owe you?

15                   How much money do you think they owe  
16 you?

17           MR. KODJO N'DOAGNI: 15. \$15.

18           ADMINISTRATIVE LAW JUDGE SAINSOT: \$15? You  
19 think they owe you \$15?

20           MR. KODJO N'DOAGNI: And they tell me it's \$15.

21           ADMINISTRATIVE LAW JUDGE SAINSOT: That's all  
22 the money you're disputing?

1           MR. KODJO N'DOAGNI:   Yeah.

2                       So I didn't switch.   So why AT&T  
3   telling me the service is closed?

4                       Okay.   I stay with SBC.   I pay.

5   Sometime when they send you the bill, the bill is  
6   coming on 97, \$75.   It's too much.   With the job I  
7   have, I don't have the money.

8           ADMINISTRATIVE LAW JUDGE SAINSOT:   So are you  
9   saying \$97 is how much they -- how much do you  
10   think -- let me try to put this away.   In your --  
11   another way.

12                      In your complaint, you say that they  
13   overbilled you; that there was some things you didn't  
14   want.   How much?

15           MR. KODJO N'DOAGNI:   15.

16           ADMINISTRATIVE LAW JUDGE SAINSOT:   15 for how  
17   long?

18                      For how long?

19           MR. KODJO N'DOAGNI:   No.   She tell me I want to  
20   pay 15 in a month.

21           ADMINISTRATIVE LAW JUDGE SAINSOT:   Right.   But  
22   how much money do you think that they took that they

1       shouldn't have taken?

2                       You may not know exactly. And if you

3       don't know, that's okay.

4               MR. KODJO N'DOAGNI: Yeah. I don't know.

5               ADMINISTRATIVE LAW JUDGE SAINSOT: Let me ask

6       you something, do you have family here with you?

7               MR. KODJO N'DOAGNI: No.

8               ADMINISTRATIVE LAW JUDGE SAINSOT: No family at

9       all?

10              MR. KODJO N'DOAGNI: No. I have a wife in my

11       country. Why I'm coming here, I'm working. I send

12       her the money to my wife to coming. She go to the

13       New York. She didn't come here because she do

14       something in my country for my family. That's why

15       she didn't come here immediately. She go to the New

16       York area.

17              ADMINISTRATIVE LAW JUDGE SAINSOT: Where are

18       you from?

19              MR. KODJO N'DOAGNI: I'm from Togo.

20              ADMINISTRATIVE LAW JUDGE SAINSOT: You're from

21       Togo?

22              MR. KODJO N'DOAGNI: Yeah.

1 ADMINISTRATIVE LAW JUDGE SAINSOT: Do you speak  
2 French?

3 MR. KODJO N'DOAGNI: Yeah.

4 ADMINISTRATIVE LAW JUDGE SAINSOT: Well, too  
5 bad Mr. Huttenhower doesn't. No, I'm just -- I'm  
6 sorry. That was just -- I'm sorry. I just --

7 MR. HUTTENHOWER: I might follow a bit, but I  
8 don't know that I want to say much.

9 ADMINISTRATIVE LAW JUDGE SAINSOT: My father's  
10 French. That's why he made that noise.

11 Do you have someone you could bring  
12 with you to translate either in your native language  
13 or in French for you?

14 MR. KODJO N'DOAGNI: The guy I want to bring,  
15 he tell me go to the worker. That's why he didn't  
16 come in.

17 ADMINISTRATIVE LAW JUDGE SAINSOT: I didn't  
18 quite hear that.

19 MR. KODJO N'DOAGNI: I say I have a friend. He  
20 speak good English and French too. I tell him. He  
21 tell me. You go for the worker because he didn't  
22 come in.

1 ADMINISTRATIVE LAW JUDGE SAINSOT: He doesn't  
2 want to come?

3 MR. KODJO N'DOAGNI: He don't.

4 ADMINISTRATIVE LAW JUDGE SAINSOT: If you  
5 called him and asked him now, do you think he'd come  
6 if you called him on the phone and said, Could you  
7 come with me next time?

8 MR. KODJO N'DOAGNI: I can give you the number.  
9 You can call him.

10 ADMINISTRATIVE LAW JUDGE SAINSOT: Do you have  
11 a phone with you? Do you have a cell phone with you?

12 MR. KODJO N'DOAGNI: No, I don't have a cell  
13 phone.

14 ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. Well,  
15 what about if I let you use this phone and you see if  
16 you can call him.

17 MR. KODJO N'DOAGNI: Okay.

18 ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. Do  
19 you have his phone number with you?

20 MR. KODJO N'DOAGNI: Yeah. 773 --

21 ADMINISTRATIVE LAW JUDGE SAINSOT: You can talk  
22 to him. We'll leave the room for five minutes. Just

1 find out a date, just a business day. Some time  
2 that's convenient for him within the next month.  
3 Could you get maybe two dates and two times so just  
4 in case Mr. Huttenhower's schedule --

5 MR. HUTTENHOWER: I know that I'm going to be  
6 on vacation the week of September 18th. So that  
7 would not be a good week.

8 Did you follow that or not?

9 ADMINISTRATIVE LAW JUDGE SAINSOT: You can go  
10 off the record.

11 (Whereupon, a discussion  
12 was had off the record.)

13 ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. For  
14 the record, we are continuing this case until  
15 September 25th, which is a Monday, at 11:00 o'clock.  
16 And at that time, hopefully, I will have a translator  
17 here as well.

18 Is that okay with you,  
19 Mr. Huttenhower?

20 MR. HUTTENHOWER: That's fine.

21 ADMINISTRATIVE LAW JUDGE SAINSOT: Okay. So  
22 I'll see you then. Okay?

1           MR. KODJO N'DOAGNI:   Okay.   Thank you.

2                               (Whereupon, further proceedings  
3                               in the above-entitled matter  
4                               was continued to September 25,  
5                               2006, at 11:00 a.m.)

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